

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

EXIQUIO HERNANDEZ SALAS, JR.,)	
)	1:02-cv-05250 OWW TAG HC
Petitioner,)	
)	ORDER ADOPTING REPORT AND
v.)	RECOMMENDATION
)	(Doc. 22)
)	
JAMES YATES,)	ORDER DISMISSING PETITION FOR WRIT
)	OF HABEAS CORPUS
)	(Doc. 1)
Respondent.)	
_____)	ORDER DIRECTING CLERK OF COURT TO
)	ENTER JUDGMENT

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On February 2, 2005, the Magistrate Judge assigned to the case filed a Report and Recommendation recommending that the petition for writ of habeas corpus be DISMISSED because the Petition does not allege grounds that would entitled Petitioner to habeas corpus relief. (Doc. 22). The Report and Recommendation was served on all parties and contained notice that any objections were to be filed within ten (10) days from the date of service of that order. Subsequently, Petitioner was granted an extension of time until March 30, 2005, within which to file his objections. (Doc. 25). On March 28, 2005, Petitioner timely filed his objections to the Report and Recommendation. (Doc. 26).

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a *de*
2 *novo* review of the case. Having carefully reviewed the entire file, including Petitioner's objections,
3 the Court concludes that the Magistrate Judge's Report and Recommendation is supported by the
4 record and proper analysis. Petitioner's objections present no grounds for questioning the Magistrate
5 Judge's analysis. Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The Report and Recommendation issued February 2, 2005, (Doc. 22) is ADOPTED IN
7 FULL;
8 2. The petition for writ of habeas corpus (Doc. 1) is Dismissed; and
9 3. The Clerk of Court is DIRECTED to ENTER JUDGMENT for Respondent and close the
10 file.

11
12 IT IS SO ORDERED.

13 **Dated: May 21, 2005**
14 emm0d6

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE